

Saturday, March 25, 2000

Robert Mills
Disability Management Services, Inc.
1350 Main St.
Springfield, MA 01103-1628



RE: Policy #H-493029, H-538069, Request for additional information per letter of 1-31-2000

Mr. Mills:

Enclosed is:

- 1) Continuance of disability form- filled out by myself and my doctor.
- 2) US Corp. Return, Form 1120 with all schedules for years (1996) and (1997) for Kearney Associates, Inc. 1997 was final year and final return.
- 3) Christopher L. Kearney, Form 1040, US indiv. Tax Returns for years 1996, 1997, 1998 with W-2 copies attached. Copy of 1999 will be copied and forwarded when completed.
- 4) Kenwood Technology Group, Inc. W-2 to Christopher L. Kearney for 1999.

Not included:

- 1) Kenwood Technology Group, Inc. 1998 (first year of corp.) 1120 was completed and sent to IRS, copy has been requested from my Accountant. 1999 is not completed.
- 2) Disability Management Services, Inc. Authorization to Obtain Information: I will discuss this my attorney. Among other things, you are asking now for authorization to collect information which is none of your business- specifically "any other non-medical information" from a broad range of people and companies.

Also, I noticed that you are asking for another statement filled out and signed by my doctor. Okay, but the amount of information and the phone calls from your investigative agents are very bothersome and time consuming in addition to being unprofessional. She has also heard from another investigative agency, called PMSI, and been asked to fill out additional information. Who are they? They claim they do not have her phone number but your other investigator called her several times- what gives? This confusion on your part leads me to think that it is quite possible for my new business to be ruined by intentionally or unintentionally questioning business contacts about my personal health. Also, personal relationships can be ruined.

If I am dropped as a patient, or my rates are jacked up, from either of my doctors because of the excessive phone calls, information questionnaires, requests for meetings, etc. from Jefferson-Pilot, you will be notified by my attorney.

I think that you are trying to interfere with my treatment by harassing my doctors. I think that you are hurting my condition by this action. It may be your intent to get me exasperated and kill myself so that your company and Jefferson Pilot can drop me from your list of payees, and thus make your multi-billion dollar bottom line better by a millionth of a percent.

I have been visited without notice by International Claims Specialists Company (one of Jefferson Pilots detective agencies) in December 1999. I met in my home (also my office) for almost an hour with

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Michael Conlon. I answered all his questions in detail including my day to day activities and showed him my office area and some examples of my work.

Now you are asking me to repeat that info again in addition to the monthly statements I send in which have similar questions.

In addition, I realize from a conversation with Ms. Harden at Jefferson-Pilot that you are probably following me around with another detective. I asked Ms. Harden what he does, and she replied: "He will monitor your activities, follow you to the store, and follow you to Church and sit with you." She says I am not being singled out but I don't believe her.

I believe that I am being harassed because I have a psychological illness and you think all your requests and the threat of withholding checks will cause me to somehow (dead or alive) to withdraw my lawful claim per my policies.

Your policies state you may seek reasonable proof of my income and health. You have gone much further.

As you have before, I suspect you will have some accountant investigator call me and ask to spend a week or two in my office going over all my business.

My usage of Xanax in the last few months has increased. I thought I was making some progress in dealing with my situation but I feel worse than ever and working full-time does not seem attainable.

Sincerely,


Chris Keamey

P.S. Please don't call me - send a letter if you need to contact me.

cc: Stephan J. Patsfall, Patsfall, Yeager & Pflum LLC

Chrisopher L. Kearney
621 E. Bowman St.
Wooster, OH 44691

**PLEASE
RESPOND**

COPY

Thursday, April 05, 2001

Leslee Hymowitz
Shalik, Morris & Co., LLP
7001 Brush Hollow Rd.
Westbury, NY 11590

Ms. Hymowitz:

**PLEASE
RESPOND**

I am disturbed that once again you have asked for a mountain of documents for Kearney Associates, Inc. dating back to 1988.

Your letters are all copied to Mr. Mills at Disability Management whom I told by letter on 12-22-00 that I have no further documents to send concerning Kearney Associates, Inc. I also discussed this on the phone with him. Why hasn't he told you of this?

I have already provided 1992, 1993 personal tax returns as shown in my files. Earlier tax returns were given to your representative in order to prove income and buy the policies. Ask your representative for these.

I did recently come across a W-2 Wage and Tax Statement for 1995 for Kearney Associates, Inc. It was in a folder with copies of personal returns. Enclosed is a copy for you. I have crossed out the middle and last names of the employees in 1995 due to some very serious issues I now have with DMS concerning confidentiality of personal information.

When I receive the copies of the tax returns for Innovation, Inc. from the IRS, I will forward them to you unless I hear otherwise from you or Mr. Mills.

When are you going to send me copies of tax returns and Social Security Documents that I signed for release to you? Or is this a disclosure to me that you are going to withhold?

Sincerely,

Chris Kearney

Chris Kearney

**PLEASE
RESPOND**

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Article Addressed to:</p> <p>ESLEE HYMOWITZ 1K MORRIS & CO, LLP 1 BRUSH HOLLOW RD. WESTBURY, NY 11590</p>		<p>A. Received by (Please Print Clearly) <i>J. Hymowitz</i> B. Date <i>4-5</i></p> <p>C. Signature <i>[Signature]</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> If YES, enter delivery address below: <input type="checkbox"/></p>	
<p>2. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>Print your name and address on the reverse so that we can return the card to you.</p> <p>Attach this card to the back of the mailpiece or on the front if space permits.</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Mail</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	

May 25, 2001

Mr. Robert Mills, Claims Consultant
Disability Management Services, Inc.
1350 Main Street
Springfield, MA 01103-1619

**PLEASE
RESPOND**

Re: Policy #H-493029 and H-538069

Mr. Mills:

Enclosed is the Continuance of Disability Form filled out and signed by both myself and my doctor.

I have sent form 4506 to the IRS for Innomation, Inc. Tax returns. I have not yet received them.

As is usual, my 2000 tax returns, business and personal will be completed in September and October, 2001.

Ms. Hymowitz has not acknowledged receipt nor responded to my letter of 4-5-01 received in her office on 4-9-01. You know this, of course. I need all of my questions answered before I can respond further to her repetitive and unreasonable demands.

CHRISTOPHER L. KEARNEY

Christopher L. Kearney

**PLEASE
RESPOND**

PS- I want the two doctors reports sent to Dr. McClure now!

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Received by (Please Print Clearly) B. Date of Delivery 52901</p> <p>C. Signature X <i>T. De</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>ROBERT MILLS ABILITY MANAGEMENT 350 MAIN ST. SPRINGFIELD, MA 01103-1619</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Copy from service label) 7000-1530-0002-8236-1074</p>	

June 12, 2001

Mr. Robert Mills, Claims Consultant
Disability Management Services, Inc.
1350 Main Street
Springfield, MA 01103-1619

Re: Policy #H-493029 and H-538069

PLEASE RESPOND

Mr. Mills:

Your continued requests, in writing, from both you and your forensic accounting partner for documents I already told you I don't have, many times in writing, and on the phone, is extremely irritating and obviously a continuation of the harassment directed at me.

I told Ms. Hymowitz, in my letter of 4-5-01, of my annoyance for repetitive requests and you have copies of all her correspondence. She completely ignored my concerns and did not respond to my questions posed in the letter of 4-5-01. I want answers to my questions. Furthermore she requested bank statements and checks for Kenwood Technology Group Inc., which have already been sent and received by Hymowitz. It is clear to me that she is acting in bad faith as you have approved and obviously encouraged.

I told you "I have no further records of Kearney Associates, Inc." in my letter to you 12-22-00. I have also told you of this in a conversation back then and I told you in our 2-15-01 telephone conversation. Despite all this, you and your forensic accountant continue to ask me for these records. This is with your full knowledge. Once again, why the continued harassment?

Please start acting in good faith, and share your information. I am tired of answering repetitive requests from you, JP, Hymowitz, etc. I was very surprised that you told me that you didn't even have my entire claim file. You told me this in our phone conversation of 10-30-00. You then asked for the name of the agent who sold me the policy. You have contacted him, I understand, since our conversation of 10-30-00 and harassed him with various requests.

How irresponsible can you and DMS be in making accusations and threats in letters without reading the entire file? This includes your boss, Mr. Hughes, who wrote me a very threatening 3-page letter dated October 2, 2000. Despite asserting that he has read the file on me, he obviously didn't. In fact he didn't even recognize my name when I called him after my return letter was sent to him. He said, "Should I know you?" I was inquiring about the check for that month which he threatened to withhold. In our latest phone conversation of 2-15-01, you said you are "aware" of previous correspondence in my file. It is obvious that you haven't read the file and will continue to ask for documents already sent.

Please be aware of the attached copy of my letter to Mr. Robert Maxwell of 11-29-94 stating that I have enclosed the 1992 and 1993 tax returns and W-2's. Why the hell are you letting Ms. Hymowitz continue her harassment for the 1992 return and W-2? Why the hell doesn't she read through the 3000 pages of files I sent and recognize the bank statements and copies of checks are very prominently included? Why the hell doesn't she respond to my questions in my letter of 4-5-01, sent registered mail, and received by her office on 4-9-01? Your entire operation is filled with bad faith and you and your superiors are directing it.

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PLEASE RESPOND

Where the hell are the benefit checks this month? You told me you are unaware of when the checks are due. Yet, in a phone conversation with you early last year you told me that checks were processed at the end of the month or first of the month for the previous month. Then the checks are sent out then or within the first week of the month. Again, you, Mr. Hughes, and your superiors are withholding my checks this month intentionally. You seem to enjoy my distress and seem to enjoy punishing me for my efforts to preserve my legal rights with regard to my two contracts with your multibillion-dollar insurance company. Your resources are endless in attempts to harass me.

I know that the harassment is tolerated and even encouraged at all levels of your organization as is evidenced in your collusion with Ms. Harden, and Ms. Betty Lou Hand in nearly having my policies cancelled by holding my premium payment check. I have never received any apology for your sloppy and deceitful conduct. Also, in total contrast to your statement that I called you in this instance on 1-27-01, I did not call you. Your buddies at JP must have called you and told you that I was aware of what was happening to my policies with your certain knowledge. You really hoped that you could deceive me and have my policies lapse. What a convenient situation for Mr. Mills- what kind of bonus do you receive when you are successful with these deceitful tactics?

Your letter of June 5th, 2001 is a joke. You say: "It is again unfortunate that you continue to mischaracterize my explanations throughout the processing of the claim." You later mischaracterize your own actions by stating: "As promised, we have now forwarded both medical reports to Dr. Judd-McClure." In your letter to me of 2-2-2001, you state: "We will be pleased to send a copy of the results of those examinations directly to Dr. Judd McClure as soon as we receive them." Now you declare, after holding the written reports for nearly three months, you sent them to my doctor, "as promised."

How could it be clearer to anyone that my health is not a concern to you? Your many statements on the phone to me that I am, in your opinion, able to work full time because I sound okay on the phone to you and I am talking to you on the phone and I am not in a dark place or in bed as is your understanding of depression- your "layman's" understanding", you say.

I do not ask for nor do I appreciate your opinion of my medical condition. It makes me even more upset to hear your "Layman's Misunderstanding of depression." You do this in all phone conversations thinking this harassment won't be brought to anyone else's attention. This is one reason I rarely speak on the phone with you. Your harassment sets me back days and weeks.

Please don't play doctor in my claim.

Despite your lack of cooperation and Ms. Hymowitz lack of cooperation in responding in letters with answers to my questions (most recent letters attached), I am continuing to look for, retrieve, and photocopy documents, which seem ridiculous to me for your "ongoing evaluation of my claim." Ms. Hymowitz has not responded to my letter received by her over two months ago.

I plan to list, in an upcoming letter, your fiduciary duties of good faith and fair dealing with regard to my insurance contracts. Obviously, you and your associates think that these don't apply to Jefferson-Pilot, since you can throw unlimited dollars into harassment procedures to continue the harassment.

PLEASE RESPOND

Have you talked yet to one of the JP attorneys so that you can provide me with an exact definition of "proof of loss" as requested by me on 10-30-00? You said that you don't know because DMS represents so many different insurance companies and they all have different definitions. You have referred to your perceived duties on my part under this term, but it still remains clear as mud to me of why requirements have become ever more burdensome each day.

Your duties include answering all my questions in a timely manner. What a joke, huh?

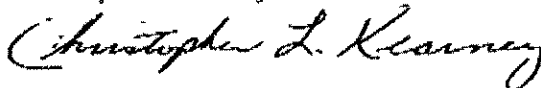
I wonder all the time: How many other legitimate insurance claims, are handled by you and DMS and JP and Hymowitz with such flagrant disregard for the law?

How many other people are subjected to such emotional distress in your zeal to deny legitimate claims and make more money for yourself and DMS? What is your bonus structure? Why does JP not even attempt to distance itself from the bad cop, DMS? Are they so arrogant that they think that they can get away from their responsibilities to their policyholders and claimants? Is JP number one in the country in profits among the insurance companies because they approve of the harassment and intimidation techniques?

→ Bad faith runs rampant. It affects me severely and now my family has to put up with the absolute frustration I feel. Now my mother has to be concerned about your following and photographing me and probably her. Ms. Harden told me they follow me into the Church and "sit with me." I did not attend much after hearing that.

Thanks for all of your help in making me a more mistrusting person.

Christopher L. Kearney



Enclosures:

Copies of:

Robert Maxwell letter to Christopher Kearney dated 11-8-94, received 11-26-94

My letter of 11-29-94 responding to request for documents with tax returns

My letter to Mills of 5-25-01 with stamped new request for unanswered questions

My letter to Hymowitz of 4-5-01, unacknowledged or responded to, with stamped request for a response.

AUG-28-2001 16:08 FROM: JEFFERSON PILOT

583 226 8891

TO:

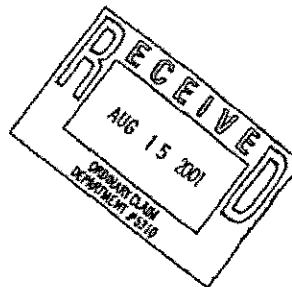
P.081/082

Post-it Fax Note 7672

To	From	Date	Time
Paula DeMar	Joe Naderinger	8/28/01	4:00
Company	Company		
Location	Location		
Fax #	Fax #		
Comments	Original	<input type="checkbox"/> Emergency	<input type="checkbox"/> Return
	Deposited	<input type="checkbox"/> Call for pickup	

Law Offices
John J. Spiegel
Professional Association
 700 Concord Building
 66 West Flagler Street
 Miami, Florida 33130
 Telephone (305) 539-0700

John J. Spiegel



Via Certified Mail

August 10, 2001

Jefferson-Pilot Life Insurance
 Company
 Post Office Box 21008
 Greensboro, NC 27420

Re: Our Client: Chris L. Kearney
 Policy Numbers: H-493029 & H-538069

Gentlemen:

Mr. Kearney has retained this office to represent him in connection with his ongoing disability claim with your company pursuant to the operative terms and conditions of the above captioned policies.

I have been recently retained and am now in the process of carefully reviewing the history of the claims under these policies.

In the meantime, you are to no longer have any direct communication with Mr. Kearney. Any communications you wish to direct to Mr. Kearney should be sent to the undersigned. This includes written and oral communications. It is my impression that Mr. Kearney has been the ongoing victim of substantial abuse and harassment by your company, it's agents, servants, and employees. This conduct must cease immediately.

Please also be on notice that from this point forward, the specific terms and conditions contained in the contracts of insurance apply. Mr. Kearney will no longer be filling requests for documents or other information unless such requests are supported by specific language, as provided in each of the above contracts. If it is not in the contract of insurance you will not get it.

Concerning the contracts of insurance, I am requesting that you provide this office with certified copies of the complete policy for each of the above numbered contracts. This includes all application forms, endorsements, addenda, and the policies

0626

AUG-28-2001 15:08 FROM:JEFFERSON PILOT

603 226 0691

TO:

P.002/002

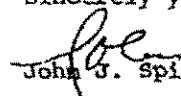
Page Two
August 10, 2001

themselves. Please get those sent here at your earliest opportunity.

Please also undertake to make sure that Mr. Kearney receives his disability benefits every month on time. No delays will be tolerated.

Please be governed accordingly.

Sincerely yours,


John J. Spiegel

JJS/mc

cc: Chris Kearney

Law Offices John J. Spiegel Professional Association
700 Concord Building • 66 West Flagler Street • Miami, Florida 33130 • Telephone (305) 539-0700

0627